



VIA ECF

August 10, 2015

Hon. Henry Pitman
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Courtroom 18A
New York, NY 10007-1312

Re: **In re Puda Coal Securities Inc. et al. Litigation**, Civil Action No.11-cv-2598 (DLC)(HBP)

Dear Judge Pitman:

We represent Plaintiffs in the above referenced matter and write in response to Your Honor's July 28, 2015 Scheduling Order (Dkt. No. 516) requiring counsel to advise as to whether the claims against any of the other defendants in the action remain open and whether there is any obstacle to proceeding with an inquest at this time.

Currently, the case is still pending against defendants Macquarie Capital (USA) Inc., ("Macquarie"), Brean Murray Carret & Co. ("Brean"), C. Mark Tang ("Tang") and Lawrence S. Wizel ("Wizel"). Macquarie, Tang and Wizel have filed summary judgment motions and summary judgment briefing will not be completed until September 9, 2015.¹

Accordingly, consistent with Judge Cote's directive that the inquest should not be conducted "until the claims against the other defendants in this litigation have been resolved," Plaintiffs respectfully submit that the Court should not proceed with an inquest at this time.

Respectfully submitted,

/s/Sara Fuks

Sara Fuks

cc: All Counsel of Record (via ecf)

¹ Plaintiffs have entered into a Settlement Agreement with Brean but the case against it is still technically pending.